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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. 4:18-0056 JST
	)	
Plaintiff,	)	
	)	STIPULATION AND <del>PROPOSED</del>
v.	)	PROTECTIVE ORDER
	)	
SERGIO STEVEN VASQUEZ-GONZALEZ;	)	
SERGIO RUBALCABA; ARTURO	)	
VAZQUEZ, JR.,	)	
	)	
Defendants.	)	

With the agreement of the parties, the Court enters the following Protective Order:

Defendants are charged with violations of 21 U.S.C. § 846 and 841(a)(1). Having received a discovery request, the United States will produce documents and other materials pertaining to the defendants and the charged offenses to defense counsel. The discovery to be provided includes documents or other materials falling into one or more of the following categories (collectively, "Protected Information"):

1. Personal Identifying Information of any individual (other than his or her name), including without limitation any person's date of birth, social security number, residence or business address, telephone numbers, email addresses, driver's license number, professional license number, family

1 member's names, or criminal histories ("Personal Identifying Information");

2       2. Financial information of any individual or business, including without limitation bank  
3 account numbers, credit or debit card numbers, account passwords, contact information, and taxpayer  
4 identification numbers ("Financial Information");

5       3. Documents related to court-authorized wiretaps (including applications, affidavits,  
6 orders, reports, transcripts and line sheets, and audio recordings), pen register applications and orders,  
7 and search warrant affidavits, which documents are currently under seal and may contain information  
8 regarding ongoing investigation and individuals who have not been charged in a criminal case; and

9       4. Medical records or other patient information of any individual covered by the Health  
10 Insurance Portability and Accountability Act of 1996 (HIPAA) ("Medical Information").

11       To ensure that Protected Information is not subject to unauthorized disclosure or misuse,

12       IT IS HEREBY ORDERED that defense counsel of record, their investigators, assistants, and  
13 employees (collectively, "the defense team") may review with defendants all discovery material  
14 produced by the government, but shall not provide a defendant with copies of, or permit a defendant to  
15 make copies of, or have unsupervised access to, any discovery material produced by the government that  
16 contains Protected Information, unless that information has first been entirely redacted from the  
17 discovery materials. The government and defense counsel are ordered to work together to ensure that  
18 these materials are protected, but that each defendant has as much access to the materials as can be  
19 provided consistent with this Court's order. Discovery material that clearly pertains to a specific  
20 defendant and does not contain Protected Information regarding any other person (e.g., defendant's own  
21 bank records, telephone records, and business records) may be provided to that defendant unredacted.

22       Defense counsel may also provide unredacted copies of Protected Information to any experts  
23 retained to assist with the preparation of the defense in the captioned case. The defendants, all members  
24 of the defense team, and any experts who receive discovery under this Order shall be provided a copy of  
25 this Order along with those materials and shall initial and date the order reflecting their agreement to be  
26 bound by it.

27       The materials provided pursuant to this protective order may only be used for the specific  
28 purpose of preparing or presenting a defense in this matter unless specifically authorized by the Court.

1 This Order shall also apply to any copies made of any materials covered by this Order.

2 IT IS FURTHER ORDERED that neither a defendant nor any member of the defense team shall  
3 provide any discovery material produced by the government—whether or not the material constitutes or  
4 contains Protected Information within the meaning of this Order—to any third party (i.e., any person  
5 who is not a member of the defense team) or make any public disclosure of the same, other than in a  
6 court filing, without the government’s express written permission or further order of this Court. If a  
7 party files a pleading that references or contains or attaches Protected Information subject to this Order,  
8 that filing must be under seal.<sup>1</sup>

9 IT IS FURTHER ORDERED that at the conclusion of proceedings before this Court, defense  
10 counsel may retain copies of discovery material in its files, including Protected Information. In the  
11 event new counsel is retained or appointed for purposes of appeal or other post-conviction proceedings,  
12 defense counsel may provide copies of discovery material only if that subsequent counsel agrees in  
13 writing to be bound by the same terms provided by this Protective Order, and agrees in writing that this  
14 Court will have jurisdiction to review any alleged violation of the terms of this Protective Order by  
15 subsequent counsel.

16 IT IS SO STIPULATED.

17  
18 Dated: March 21, 2018

ALEX G. TSE  
Acting United States Attorney

19  
20 /s/  
ANDREW F. DAWSON  
21 NIKHIL BHAGAT  
22 Assistant United States Attorneys

23 /s/  
MICHAEL STEPANIAN  
24 Counsel for Defendant Vasquez-Gonzalez

25 /s/  
JULIANA DROUS  
26 Counsel for Defendant Vazquez

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28 <sup>1</sup> This Order authorizes such filings under seal and the parties are not required to seek additional  
authorization from the Court to do so.

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IT IS SO ORDERED.

Dated: March 23, 2018

/s/  
BRENDAN HICKEY  
Counsel for Defendant Rubalcaba

  
HONORABLE JON S. TIGAR  
United States District Judge